

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

Bonnie J. Godfrey v. Speedway LLC

Case Number 71C01-1910-CT-000385
Court St. Joseph Circuit Court
Type CT - Civil Tort
Filed 10/01/2019
Status 10/01/2019, Pending (active)

Parties to the Case

Defendant Speedway LLC

Address c/o CT Corporation System, Resident Agent
150 W. Market Street, Suite 800
Indianapolis, IN 46204
Attorney Thomas L Davis
#442349, Retained
FROST BROWN TODD LLC
201 North Illinois Street - Suite 1900
Indianapolis, IN 46204
317-237-3800(W)

Plaintiff Godfrey, Bonnie J.

Address 4362 Carpet Street
Stevensville, MI 49127
Attorney James Paul Barth
#3395164, Retained
Pfeifer, Morgan & Stesiak
53600 North Ironwood Drive
South Bend, IN 46635
574-272-2870(W)

Chronological Case Summary

10/01/2019 Case Opened as a New Filing

10/01/2019 Appearance Filed

Plaintiff files Appearance
For Party: Godfrey, Bonnie J.
File Stamp: 10/01/2019

10/01/2019 Complaint/Equivalent Pleading Filed

Plaintiff files Complaint for Damages
Filed By: Godfrey, Bonnie J.
File Stamp: 10/01/2019

10/01/2019 Subpoena/Summons Filed

Plaintiff files Summons directed to Defendant
Filed By: Godfrey, Bonnie J.
File Stamp: 10/01/2019

10/18/2019 Appearance Filed

E-filing Appearance by Attorneys in Civil Case
For Party: Speedway LLC
File Stamp: 10/18/2019

10/18/2019 Motion for Enlargement of Time Filed

Motion for Enlargement of Time
Filed By: Speedway LLC
File Stamp: 10/18/2019

10/18/2019 Order Granting Motion for Enlargement of Time

Judicial Officer: Broden, John
Order Signed: 10/18/2019

10/22/2019 Automated ENotice Issued to Parties

Order Granting Motion for Enlargement of Time ---- 10/18/2019 : James Paul Barth;Thomas L Davis

11/06/2019 Service Returned Served (E-Filing)

Godfrey POS
Filed By: Godfrey, Bonnie J.
File Stamp: 11/05/2019

11/14/2019 Answer to a Complaint Filed

Answer to Plaintiff's Complaint for Damages
Filed By: Speedway LLC
File Stamp: 11/14/2019

12/03/2019 Motion for Pretrial Conference Filed

Motion for Pre-trial Conference
File By: Godfrey, Bonnie J.
File Stamp: 12/03/2019

12/05/2019 Order Granting Motion for Pretrial Conference

Judicial Officer: Broden, John
Order Signed: 12/05/2019

12/05/2019 Hearing Scheduling Activity

Pretrial Conference scheduled for 02/20/2020 at 3:00 PM.

12/06/2019 Automated ENotice Issued to Parties

Order Granting Motion for Pretrial Conference ---- 12/5/2019 : James Paul Barth;Thomas L Davis

02/20/2020 Pretrial Conference

Session: 02/20/2020 3:00 PM, Judicial Officer: Broden, John
Result: Commenced and concluded

02/21/2020 Hearing Journal Entry

Plaintiff appears by counsel, James Barth, telephonically. Defendant appears by counsel, Thomas Davis, telephonically. Pretrial had. Cause ordered to mediation, mediation deadline June 30, 2020. Parties name Senior Judge Gene Duffin as mediator. Parties to complete discovery by October 30, 2020. Dispositive motions to be filed by July 15, 2020. Parties to exchange witness lists, exhibit lists and contentions by October 23, 2020. Pretrial order to be prepared by defense counsel and filed by November 13, 2020. All jury instructions, verdict forms and pretrial motions, including motions in limine, to be filed by December 4, 2020. Final pretrial conference set December 3, 2020 at 2:00 p.m., one hour allotted. Jury trial set, January 12, 2021 at 10:00 a.m., second setting, three days allotted. Attorney conference set 9:30 a.m. on first day of trial.

Judicial Officer: Broden, John

Hearing Date: 02/20/2020

02/24/2020 Hearing Scheduling Activity

Attorney Conference scheduled for 01/12/2021 at 9:30 AM.

02/24/2020 Hearing Scheduling Activity

Final PreTrial Conference scheduled for 12/03/2020 at 2:00 PM.

02/24/2020 Hearing Scheduling Activity

Jury Trial scheduled for 01/12/2021 at 10:00 AM.

02/24/2020 Hearing Scheduling Activity

Jury Trial scheduled for 01/13/2021 at 9:00 AM.

02/24/2020 Hearing Scheduling Activity

Jury Trial scheduled for 01/14/2021 at 9:00 AM.

02/24/2020 Order Granting

Pretrial

Judicial Officer: Broden, John

Order Signed: 02/21/2020

02/25/2020 Automated ENotice Issued to Parties

Order Granting ---- 2/24/2020 : James Paul Barth;Thomas L Davis

12/03/2020 Final PreTrial Conference

Session: 12/03/2020 2:00 PM, Judicial Officer: Broden, John

01/12/2021 Attorney Conference

Session: 01/12/2021 9:30 AM, Judicial Officer: Broden, John

01/12/2021 Jury Trial

Session: 01/12/2021 10:00 AM, Judicial Officer: Broden, John

01/13/2021 Jury Trial

Session: 01/13/2021 9:00 AM, Judicial Officer: Broden, John

01/14/2021 Jury Trial

Session: 01/14/2021 9:00 AM, Judicial Officer: Broden, John

Financial Information

* Financial Balances reflected are current representations of transactions processed by the Clerk's Office. Please note that any balance due does not reflect interest that has accrued – if applicable – since the last payment. For questions/concerns regarding balances shown, please contact the Clerk's Office.

Godfrey, Bonnie J.

Plaintiff

Balance Due (as of 09/11/2020)

0.00

Charge Summary

Description	Amount	Credit	Payment
Court Costs and Filing Fees	157.00	0.00	157.00

Transaction Summary

Date	Description	Amount
10/01/2019	Transaction Assessment	157.00
10/01/2019	Electronic Payment	(157.00)

This is not the official court record. Official records of court proceedings may only be obtained directly from the court maintaining a particular record.

STATE OF INDIANA) IN THE ST. JOSEPH CIRCUIT/SUPERIOR COURT
) SS:
 COUNTY OF ST. JOSEPH) CAUSE NO.: 71C01-1910-CT-000385

BONNIE J. GODFREY,)
 4362 CARPET STREET)
 STEVENSVILLE, MICHIGAN 49127)
)
 Plaintiff,)
)
 v.)
)
 SPEEDWAY LLC,)
 c/o CT CORPORATION SYSTEM, Resident Agent)
 150 WEST MARKET STREET, SUITE 800)
 INDIANAPOLIS, INDIANA 46204)
)
 Defendant.)

APPEARANCE FORM (CIVIL)

Initiating Party (XX)
Responding Party ()

1. NAMES OR NAMES OF INITIAL/RESPONDING PARTY OR PARTIES:

BONNIE J. GODFREY

2. ATTORNEY INFORMATION:

James P. Barth (33951-64)
PFEIFER MORGAN & STESIAK
53600 North Ironwood Drive
South Bend, Indiana 46635
Telephone: (574) 272-2870
Facsimile: (574) 271-4329
EMAIL: jbarth@pilawyers.com

3. CASE TYPE: CT

4. WILL ACCEPT FAX SERVICE? YES () NO (XX)

5. ARE THERE RELATED CASES? YES () NO (XX)

STATE OF INDIANA) IN THE ST. JOSEPH CIRCUIT/SUPERIOR COURT
)) SS: **71C01-1910-CT-000385**
 COUNTY OF ST. JOSEPH) CAUSE NO.: _____

BONNIE J. GODFREY,)
 4362 CARPET STREET)
 STEVENSVILLE, MICHIGAN 49127)
)
 Plaintiff,)
)
 v.)
)
 SPEEDWAY LLC,)
 c/o CT CORPORATION SYSTEM, Resident Agent)
 150 WEST MARKET STREET, SUITE 800)
 INDIANAPOLIS, INDIANA 46204)
)
 Defendant.)

COMPLAINT FOR DAMAGES

Comes now the Plaintiff, by counsel, and for her claim for relief, states the following:

1. On or about the 20th day of January, 2019, the Plaintiff, was a business invitee on the Defendant's premises located at 6161 West Brick Road, South Bend, Indiana when she fell.
2. The Defendant failed to maintain the premises and/or warn the Plaintiff of a dangerous and/or hazardous condition.
3. As a direct and proximate result of the carelessness and negligence of the Defendant, the Plaintiff sustained personal injuries, the effects of which may be permanent and lasting; has incurred hospital, doctor and medical expenses and may continue to incur hospital, doctor and medical expenses in the future; has incurred pain and suffering and may continue to incur pain and suffering in the future, all of which damages are in an amount yet uncertain.
4. As a further direct and proximate result of the carelessness and negligence of the defendant, the plaintiff has incurred lost wages and may continue to incur lost wages in the future.

WHEREFORE, Plaintiff demands judgment against the Defendant in an amount that will reasonably compensate her for the injuries and damages sustained, for the costs of this action and for all other just and proper relief.



James P. Barth (33951-46)
Attorney for Plaintiff
PFEIFER MORGAN & STESIAK
53600 North Ironwood Drive
South Bend, IN 46635
Telephone: (574) 272-2870

USDC IN/ND case 3:20-cv-00763-RJG Document 1-1 filed 09/11/20 page 8 of 25

STATE OF INDIANA) ST. JOSEPH CIRCUIT/SUPERIOR COURT
) SS: 71C01-1910-CT-000385
 COUNTY OF ST. JOSEPH) CAUSE NO.: _____

Plaintiff - Names and Addresses
 BONNIE J. GODFREY
 4362 Carpet Street
 Stevensville, Michigan 49127

vs.

Defendant - Names and Addresses
 SPEEDWAY LLC
 c/o CT CORPORATION SYSTEM, Resident Agent
 150 West Market Street, Suite 800
 Indianapolis, Indiana 46204

TO THE ABOVE-NAMED DEFENDANT OR DEFENDANTS:

You have been sued by the person(s) named "plaintiff" in the court stated above.

The nature of the suit against you is stated in the complaint which is attached to this summons. It also states the demand which the plaintiff has made and wants from you.

You must answer the complaint in writing, by you or your attorney, within twenty (20) days commencing the day after you receive this summons, (you have twenty-three (23) days to answer if this summons was received by mail), or judgment will be entered against you for what the plaintiff has demanded.

If you have a claim for relief against the plaintiff arising from the same transaction or occurrence, you must assert it in your written answer.

CLERK'S ISSUANCEDATE 10/1/2019.

Rita L. Glenn
 BY /s/ Anne Samolczyk CLERK
 DEPUTY

The following manner of service is hereby designated:

[] Registered Mail [XX] Certified Mail [] By Sheriff as provided by law [] Other, as follows:

Certified Mail, Return Receipt Requested, No.

(If by mail, stamped addressed envelope with return receipt attached to be furnished by the attorney.)

ATTORNEY FOR PLAINTIFF
 James P. Barth (33951-64)
 PFEIFER, MORGAN & STESIAK

53600 North Ironwood Drive, South Bend, IN 46635
 (574) 272-2870

ACKNOWLEDGEMENT OF SERVICE OF SUMMONS
 I, at _____, copy of the above summons and a copy of the complaint attached thereto was received by
 me at _____ this _____
 day of _____, 20 _____.
SEAL

Signature of Defendant

RETURN OF SUMMONS**Certificate of Mailing**

I hereby certify that on the _____ day of _____, 20_____, I mailed a copy of this Summons and a copy of the Complaint to each of the defendant(s) _____ by (registered or certified) mail requesting a return receipt signed by the addressee only addressed to each of said defendant(s) _____ at the address(s) furnished by the plaintiff.

CLERK

DATE _____, 20_____.

BY _____

DEPUTY

RETURN OF SERVICES OF SUMMONS BY MAIL

I hereby certify that service of Summons with return receipt requested was mailed on the _____ day of _____, 20_____, and that a copy of return receipt was received on the _____ day of _____, 20_____, which copy is attached herewith.

CLERK

DATE _____, 20_____.

BY _____

DEPUTY

CERTIFICATE OF CLERK OF SUMMONS NOT ACCEPTED BY MAIL

I hereby certify that on the _____ day of _____, 20_____, I mailed a copy of this Summons and a copy of the Complaint to the defendant(s) _____ by (registered or certified) mail and the same was returned without acceptance this _____ day of _____, 20_____, and I did deliver said Summons and a copy of Complaint to the Sheriff of St. Joseph County, Indiana.

CLERK

DATE _____, 20_____.

BY _____

DEPUTY

RETURN BY SHERIFF OR OTHER PERSON OF SUMMONS

I hereby certify that I have served the within Summons:

1. By delivering on the _____ day of _____, 20_____, a copy of Summons and a copy of the Complaint to each of the following defendants: _____

2. By leaving on the _____ day of _____, 20_____, for each of the within named defendants: _____

3. _____ and by mailing a copy of the Summons without the Complaint to _____ at _____, the last known address of defendant(s).

4. This Summons came to hand this _____ day of _____, 20_____.
The within named _____

was not found in my bailiwick this _____ day of _____, 20_____.

MILEAGE \$ _____

FEES \$ _____

TOTAL \$ _____

SHERIFF

BY _____

DEPUTY

**IN THE ST. JOSEPH COUNTY CIRCUIT COURT
STATE OF INDIANA**

BONNIE J. GODFREY,) CAUSE NO. 71C01-1910-CT-000385
)
Plaintiff,)
)
v.)
)
SPEEDWAY LLC,)
)
Defendant.)

E-FILING APPEARANCE BY ATTORNEYS IN CIVIL CASE

This Appearance Form must be filed on behalf of every party in a civil case.

1. The party on whose behalf this form is being filed is:

Initiating _____ Responding Intervening _____; and

the undersigned attorney and all attorneys listed on this form now appear in this case for the following parties:

Name of Party: **Defendant Speedway LLC**

2. Attorney information for service as required by Trial Rule 5(B)(2):

Name:	Thomas L. Davis	Attorney Number:	#4423-49
	FROST BROWN TODD LLC	Phone:	(317) 237-3800
Address:	201 North Illinois Street, Suite 1900	FAX:	(317) 237-3900
	P.O. Box 44961	Email:	tdavis@fbtlaw.com
	Indianapolis, IN 46244-0961		

IMPORTANT: Each attorney specified on this appearance:

- (a) certifies that the contact information listed for him/her on the Indiana Supreme Court Roll of Attorneys is current and accurate as of the date of this Appearance;
- (b) acknowledges that all orders, opinions, and notices from the court in this matter that are served under Trial Rule 86(G) will be sent to the attorney at the email address(es) specified by the attorney on the Roll of Attorneys regardless of the contact information listed above for the attorney; and
- (c) understands that he/she is solely responsible for keeping his/her Roll of Attorneys contact information current and accurate, see Ind. Admis. Disc. R. 2(A).

3. This is a CT case type as defined in administrative Rule 8(B)(3).
4. This case involves child support issues. Yes No X
5. This case involves a protection from abuse order, a workplace violence restraining order, or a no – contact order. Yes No X
6. This case involves a petition for involuntary commitment. Yes No X
7. There are related cases: Yes No X
8. Additional information required by local rule: None
9. There are other party members: Yes No X
10. This form has been served on all other parties and Certificate of Service is attached:

Yes X No

Respectfully submitted,

/s/ Thomas L. Davis
Thomas L. Davis, #4423-49
Frost Brown Todd LLC
201 N. Illinois Street
Suite 1900, P.O. Box 44961
Indianapolis, IN 46244-0961
T: (317) 237-3800
F: (317) 237-3900
tdavis@fbtlaw.com

Attorneys for Defendant Speedway LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of October, 2019, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system:

James P. Barth
Pfeifer Morgan & Stesiak
53600 North Ironwood Drive
South Bend, IN 46635
Email: jbarth@pilawyers.com

/s/ Thomas L. Davis
Thomas L. Davis

FROST BROWN TODD LLC
201 North Illinois Street, Suite 1900
P.O. Box 44961
Indianapolis, IN 46244-0961
Phone: (317) 237-3800
Fax: (317) 237-3900
tdavis@fbtlaw.com

0126183.0725888 4818-8353-6554v1

IN THE ST. JOSEPH COUNTY CIRCUIT COURT
STATE OF INDIANA

BONNIE J. GODFREY,)	CAUSE NO. 71C01-1910-CT-000385
)	
Plaintiff,)	
)	
v.)	
)	
SPEEDWAY LLC,)	
)	
Defendant.)	

MOTION FOR ENLARGEMENT OF TIME

Defendant Speedway LLC, by counsel, respectfully requests an enlargement of time, pursuant to Indiana Trial Rule 6(B)(1) to respond to plaintiff's Complaint. In support of this motion, defendant states:

1. Speedway was properly served by certified mail on October 8, 2019, making defendant's deadline to move or plead October 31, 2019
2. Counsel for defendant does not have sufficient information to move or plead and will be out of the country until November 1, 2019.
3. An additional thirty (30) days from October 31, 2019, to move or plead, is respectfully requested, making defendant's responsive pleading due on or before December 2, 2019.
4. This is counsel for defendant's first request for an enlargement to move or plead.

WHEREFORE, defendant Speedway LLC, by counsel, respectfully requests an enlargement of time to and including December 2, 2019, in which to file an answer and/or respond to plaintiff's Complaint, and for all other just and proper relief.

Respectfully submitted,

FROST BROWN TODD LLC

/s/ Thomas L. Davis

Thomas L. Davis, #4423-49

Attorneys for Defendant Speedway LLC

CERTIFICATE OF SERVICE

I hereby certify that on this 18th day of October, 2019, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system:

James P. Barth
Pfeifer Morgan & Stesiak
53600 North Ironwood Drive
South Bend, IN 46635
Email: jbarth@pilawyers.com

/s/ Thomas L. Davis

Thomas L. Davis

FROST BROWN TODD LLC
201 North Illinois Street, Suite 1900
P.O. Box 44961
Indianapolis, IN 46244-0961
Phone: (317) 237-3800
Fax: (317) 237-3900
tdavis@fbtlaw.com

0126183.0725888 4819-2292-3690v1

**IN THE ST. JOSEPH COUNTY CIRCUIT COURT
STATE OF INDIANA**

BONNIE J. GODFREY,
Plaintiff,
v.
SPEEDWAY LLC,
Defendant.
)

) CAUSE NO. 71C01-1910-CT-000385
)
)
)
FILED
)
October 18, 2019
ST. JOSEPH CIRCUIT & SUPERIOR COURT
)
)
)
JB

ORDER GRANTING MOTION FOR ENLARGEMENT OF TIME

Defendant Speedway LLC, by counsel, having filed his Motion for Enlargement of Time, and the Court having examined said motion and being duly advised in the premises, hereby GRANTS the same.

IT IS, THEREFORE, ORDERED, ADJUDGED AND DECREED by the Court that defendant has up to and including December 2, 2019, to respond to plaintiff's Complaint

DATED: **October 18, 2019**

John Burke
JUDGE, St. Joseph Circuit Court

Distribution List Attached.

Distribution to:

James P. Barth
PFEIFER MORGAN & STESIAK
Email: jbarth@pilawyers.com

Thomas L. Davis
FROST BROWN TODD LLC
Email: tdavis@fbtlaw.com

0126183.0725888 4822-5768-1834v1

SUMMONS

STATE OF INDIANA)
) SS:
COUNTY OF ST. JOSEPH)

ST. JOSEPH CIRCUIT/SUPERIOR COURT
71C01-1910-CT-000385
CAUSE NO.: _____

Plaintiff - Names and Addresses
BONNIE J. GODFREY
4362 Carpet Street
Stevensville, Michigan 49127

vs.

Defendant - Names and Addresses
SPEEDWAY LLC
c/o CT CORPORATION SYSTEM, Resident Agent
150 West Market Street, Suite 800
Indianapolis, Indiana 46204

UNDER: COMPLETE THIS SECTION

Complete items 1, 2, and 3.

Print your name and address on the reverse so that we can return the card to you.

Attach this card to the back of the mailpiece, or on the front if space permits.

Circle Addressed to:

speedway LLC
CT Corporation System
150 W. Market St, Suite 800
Indpls, IN 46204



9590 9402 3770 8032 3424 65

Title Number (Transfer from service label)

7017 0190 0000 1987 8707

Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent
 Addressee

B. Received by (Printed Name)

Res Agent

C. Date of Delivery

D. Is delivery address different from item 1?
If YES, enter delivery address below:

Yes
 No

800

court stated above,

nt which is attached to this
t wants from you.mey, within twenty (20) days
y-three (23) days to answer if
inst you for what the plaintiff

rom the same transaction or

Glen

CLERK

DEPUTY

3. Service Type
 Adult Signature
 Adult Signature Restricted Delivery
 Certified Mail®
 Certified Mail Restricted Delivery
 Collect on Delivery
 Collect on Delivery Restricted Delivery
 all
 all Restricted Delivery

Priority Mail Express®
 Registered Mail™
 Registered Mail Restricted Delivery
 Return Receipt for Merchandise
 Signature Confirmation™
 Signature Confirmation Restricted Delivery

U.S. Postal Service™

CERTIFIED MAIL® RECEIPT

Domestic Mail Only

For delivery information, visit our website at www.usps.com**OFFICIAL USE**

Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$ _____
 Return Receipt (electronic) \$ _____
 Certified Mail Restricted Delivery \$ _____
 Adult Signature Required \$ _____
 Adult Signature Restricted Delivery \$ _____
 postage
 Total Postage and Fees _____

Postmark
Here
*10/21/19***MENT OF SERVICE OF SUMMONS**

d a copy of the complaint attached thereto was received by

this

Signature of Defendant

IN THE ST. JOSEPH COUNTY CIRCUIT COURT
STATE OF INDIANA

BONNIE J. GODFREY,) CAUSE NO. 71C01-1910-CT-000385
)
 Plaintiff,)
)
 v.)
)
 SPEEDWAY LLC,)
)
 Defendant.)

ANSWER TO PLAINTIFF'S COMPLAINT FOR DAMAGES

Comes now the defendant Speedway LLC, by counsel, and for its Answer to plaintiff's Complaint for Damages, states:

1. Defendant is without knowledge or information sufficient to form a belief as to the truth of the material allegations contained in rhetorical paragraph 1.
2. Defendant denies the material allegations contained in rhetorical paragraph 2.
3. Defendant denies the material allegations contained in rhetorical paragraph 3.
4. Defendant denies the material allegations contained in rhetorical paragraph 4.

WHEREFORE, defendant prays that plaintiff take nothing by way of her Complaint for Damages, for judgment in its favor and against plaintiff, for costs and for all other just and proper relief in the premises.

Respectfully submitted,

FROST BROWN TODD LLC

By: /s/ Thomas L. Davis
Thomas L. Davis, #4423-49
Attorneys for Defendant

AFFIRMATIVE DEFENSES

1. The fault of plaintiff Bonnie J. Godfrey caused or contributed to cause the incident in question and resulting damages.
2. Defendant reserves the right to assert additional affirmative defenses disclosed during discovery.

WHEREFORE, defendant prays that plaintiff take nothing by way of her Complaint for Damages, for judgment in its favor and against plaintiff, for costs and for all other just and proper relief in the premises.

Respectfully submitted,

FROST BROWN TODD LLC

By: /s/ Thomas L. Davis
Thomas L. Davis, #4423-49
Attorneys for Defendant

REQUEST FOR JURY TRIAL

Comes now defendant, by counsel, and requests trial by jury in this matter.

Respectfully submitted,

FROST BROWN TODD LLC

By: /s/ Thomas L. Davis
Thomas L. Davis, #4423-49
Attorneys for Defendant

CERTIFICATE OF SERVICE

I hereby certify that on this 14th day of November, 2019, a copy of the foregoing was filed electronically. Notice of this filing will be sent to the following parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.:

James P. Barth
Pfeifer Morgan & Stesiak
Email: jbarth@pilawyers.com

/s/ Thomas L. Davis

Thomas L. Davis

FROST BROWN TODD LLC
201 North Illinois Street, Suite 1900
P.O. Box 44961
Indianapolis, IN 46244-0961
Phone: (317) 237-3800
Fax: (317) 237-3900
tdavis@fbtlaw.com

4843-8142-4300v1

STATE OF INDIANA) IN THE ST. JOSEPH CIRCUIT COURT
) SS:
COUNTY OF ST. JOSEPH) CAUSE NO.: 71C01-1910-CT-00385

BONNIE J. GODFREY,)
4362 CARPET STREET)
STEVENSVILLE, MICHIGAN 49127)
)
Plaintiff,)
)
v.)
)
SPEEDWAY LLC,)
c/o CT CORPORATION SYSTEM, Resident Agent)
150 WEST MARKET STREET, SUITE 800)
INDIANAPOLIS, INDIANA 46204)
)
Defendant.)

MOTION FOR REQUEST FOR PRE-TRIAL CONFERENCE

COMES NOW, the plaintiff, Bonnie J. Godfrey, by counsel, James P. Barth, Esq., of the law firm *Pfeifer, Morgan, & Stesiak*, and hereby requests a pre-trial conference with the Court in order to address case management plan issues and trial readiness issues pursuant to Rule 16 of the Indiana Rules of Procedure.

WHEREFORE, Plaintiff respectfully request this Court schedule a pre-trial conference to establish a case management plan.

Respectfully Submitted,

/s/ James P. Barth
James P. Barth (33951-64)
Attorney for Plaintiff
PFEIFER MORGAN & STESIAK
53600 North Ironwood Drive
South Bend, Indiana 46635
Telephone: (574) 272-2870
E-mail: jbarth@pilawyers.com

CERTIFICATE OF SERVICE

I hereby certify that on December 3, 2019, a copy of the foregoing *Motion for Request for Pre-Trial Conference* was filed electronically. Notice of this filing will be sent to the following party by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

Thomas L. Davis, Esq.
FROST BROWN TODD, LLC
201 N. Illinois Street, Suite 1900
P.O. Box 44961
Indianapolis, IN 46244-0961

/s/ Ramona V. Bracker
Ramona V. Bracker
Paralegal to Attorney James P. Barth

STATE OF INDIANA) IN THE ST. JOSEPH CIRCUIT COURT
) SS:
COUNTY OF ST. JOSEPH) CAUSE NO.: 71C01-1910-CT-00385

BONNIE J. GODFREY,)
4362 CARPET STREET)
STEVENSVILLE, MICHIGAN 49127)
)
Plaintiff,)
)
v.)
)
SPEEDWAY LLC,)
c/o CT CORPORATION SYSTEM, Resident Agent)
150 WEST MARKET STREET, SUITE 800)
INDIANAPOLIS, INDIANA 46204)
)
Defendant.)

FILED

December 5, 2019

ST. JOSEPH CIRCUIT & SUPERIOR COURT
NR

O R D E R

The Court, having examined Plaintiff's Motion for Request for Pre-Trial Conference, and being duly advised in the premises, now approves and grants the same.

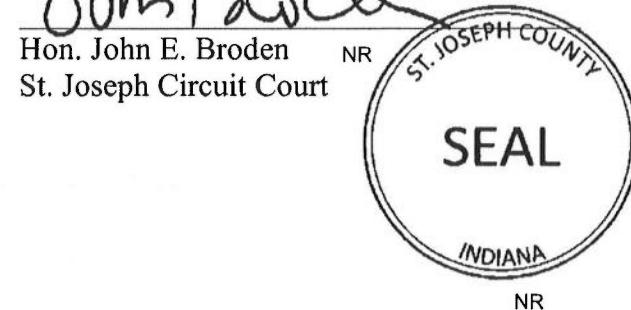
IT IS THEREFORE ORDERED that the Motion for Request for Pre-Trial Conference is GRANTED. The Pre-Trial Conference is now scheduled for February 20, 2020, at 3:00 p.m. Parties may appear telephonically. Plaintiff shall initiate and connect parties. Parties shall contact the Court at 574-235-9551 and follow prompts 1 and 3.

SO ORDERED this 5th day of December, 2019.


Hon. John E. Broden NR
St. Joseph Circuit Court

DISTRIBUTION TO:

James P. Barth, Esq.
Thomas L. Davis, Esq.



STATE OF INDIANA) IN THE ST. JOSEPH CIRCUIT COURT
) SS:
COUNTY OF ST. JOSEPH) CAUSE NO. 71C01-1910-CT-385

BONNIE J. GODFREY,) **FILED**
Plaintiff,) February 21, 2020
VS.) ST. JOSEPH CIRCUIT & SUPERIOR COURT
SPEEDWAY, LLC,) JB
Defendant.)
)

ORDER

Plaintiff appears by counsel, James Barth, telephonically. Defendant appears by counsel, Thomas Davis, telephonically. Pretrial conference held.

Cause ordered to mediation. Each party or agent (including insurance adjuster) with full authority to settle is ordered to be present. Mediation deadline is June 30, 2020.

Parties name Senior Judge Gene Duffin as mediator.

Parties to complete discovery by October 30, 2020.

Dispositive motions to be filed by July 15, 2020.

Parties shall exchange lists of witnesses, contentions and exhibits by October 23, 2020.

Pretrial order to be prepared by counsel for the Defendant. Pretrial order shall include proper names of witnesses, contentions, and list of exhibits and must be filed by November 13, 2020. Any witness not specifically listed by name in the pretrial order may be barred from testifying at trial.

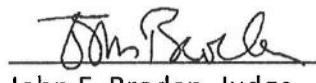
All contested preliminary and final jury instructions, verdict forms, any pretrial motions, including motions in limine shall be filed by December 4, 2020. All proposed jury instructions, preliminary or final, agreed or contested, shall include the IMCJI number and shall be E-filed pursuant to the Indiana Trial Rules. In addition thereto, all proposed jury instructions shall also be submitted to chambers in electronic Word format, either on disc or via email to NRodriguez@sjcindiana.com.

Final pretrial conference set for December 3, 2020 at 2:00 p.m., one hour allotted. Parties shall report readiness for trial and be prepared to present argument on any pretrial motions including any motions in limine. Counsel shall appear in person at the final pretrial conference.

Cause is set for a jury trial on January 12, 2021 at 10:00 A.M. as a second setting; three days allotted. Attorney conference set for 9:30 a.m. on trial date. Jury to be summoned to appear at 10:00 A.M. on trial date.

Jury will be summoned two weeks prior to trial date. Parties may contact chambers to request juror list.

SO ORDERED on the date filemarked hereon.


John E. Broden, Judge
St. Joseph Circuit Court



Distribution:

James Barth, Esq.
Thomas Davis, Esq.